IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

WP(C).No. 34159 of 2006(N)

PETITIONER:

KUNHAIDRU, KAIPPALLY HOUSE,
KUTTIPPURAM.

BY ADV. SRI.A.KRISHNAN

RESPONDENTS:
----

1. THE ACCOUNTS OFFICER (TR III),
BHARAT SANCHAR NIGAM LIMITED,
OFFICE OF THE GENERAL MANAGER,
TELECOM, DOWNHILL, MALAPPURAM.

2. THE SUB DIVISIONAL OFFICER,
BHARAT SANCHAR NIGAM LIMITED,
PONANI.

BY ADV. SRI.K.KESAVANKUTTY, SC, BSNL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

W.P.(C)No.34159 OF 2006

Dated this the 17th day of January, 2007

J U D G M E N T

Telephone of the petitioner is disconnected on account of arrears in another phone connected in the same premises in the name of the petitioner's son. Disconnection of the petitioner's phone is not justified because there is no provision in the rules nor in the contract. I am also of the view that disconnection of petitioner's phone does not serve the business interests of BSNL. In the above circumstances, the writ petition is disposed of retaining interim order as part of the judgment. However, respondents are free to initiate recovery proceedings for recovering arrears from petitioner's son.

(C.N.RAMACHANDRAN NAIR,
JUDGE)

ps